IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FARAD CONTINUATION SHEET
MISC.CIVIL APPLICATION NO.20 OF 2003

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Office Notes,Office memorandum of Coram, appearances,Court's orders or directions & Registrar's orders.	Court's or Judge's orders

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Shri J.A.Khan for the Applicant
Shri Sandeep Marve for the Respondent.

CORAM: A.S.OKA, J.
DATED: AUGUST 19, 2004.

P.C.:

1. Heard the Counsel appearing for the parties. The Applicant is the wife and the Respondent is the husband. The Respondent has filed a Petition in the Family Court, Pune against the Applicant for restitution of conjugal rights. The said Petition is pending in the Family court, Pune. The Applicant has filed a Petition in the Family Court, Bandra, Mumbai for divorce. The case of the Applicant-wife is that she is resident of Andheri,Mumbai and she has a six year old daughter who is studying in Mumbai. In the circumstances, it will be difficult for her to travel upto Pune on every date to attend the Petition filed by the Respondent in the Family court at Pune.

2. The learned Counsel for the Respondent

opposed the Petition and raised serious objections to the averments made in the paragraph No.6 of this Application in which it is alleged that the Respondent is having connection with criminals and muscle men.

3. The Petition filed by the Applicant is pending in the Family Court at Bandra,Mumbai. In any case, the Respondent is required to attend to the said proceedings at Bandra. Considering the fact that the Applicant is residing in Mumbai with six year old daughter who is studying in Mumbai, a case for transfer is made out. I must record that the allegations which are made in paragraph No.6 of the Application by the Applicant as regards the connection of the Respondent with criminals and muscle-men are not substantiated by the Applicant and same are not accepted by him.

4. Hence I pass the following order :

i) Application is allowed in terms of prayer clause (a). No order as to costs.

ii) Parties and the Courts below to act upon an ordinary copy of the order duly authenticated by the Court Sheristedar.

Judge.